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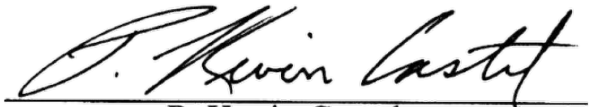
July 11, 2022

Via ECF

Hon. P. Kevin Castel, United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Presentence report has been ordered. The sentencing is adjourned from July 26, 2022 to October 13, 2022 at 2:00 p.m. in Courtroom 11D.
SO ORDERED.
Dated: 7/13/2022

Re: USA v. Fernando Ra, et. al.
20-Cr-601 (PKC)


P. Kevin Castel
United States District Judge

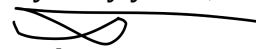
Dear Judge Castel:

I represent Mr. Michael Ashley in the above matter. On March 22, 2022, Mr. Ashley appeared before your Honor and pleaded guilty to count one of the indictment. Sentencing was set for July 26, 2022. At that time, the Court directed that I appear with Mr. Ashley for the pre-sentence interview.

As I reviewed my file in preparation for filing a sentencing memorandum, I realized Mr. Ashley had not been interviewed by Probation. Upon reviewing my emails, I determined that I had never been contacted by Probation for a pre-sentence interview. I consulted with the Government, who similarly had not been contacted by Probation. In addition, I did not see any note on the docket directing a pre-sentence report. For some reason, Mr. Ashley's pre-sentence interview was never scheduled, and I did not realize it until I began reviewing the file. Given the absence of a pre-sentence report, I am respectfully requesting an adjournment of sentencing so that a report can be prepared. The Government consents to this request.

Thank you for your consideration in this matter.

Very truly yours,


David K. Bertan

cc: AUSA Rushmi Bhaskaran (via ECF)